



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,638	09/29/2003	Robert D. Foxwell	51449-00610	4695

30638 7590 11/17/2004

R.C. BAKER & ASSOCIATES, LTD.
200 TCF BANK BUILDING
12751 NICOLLET AVENUE
BURNSVILLE, MN 55337-2890

EXAMINER


SALDANO, LISA M

ART UNIT	PAPER NUMBER
----------	--------------

3673

DATE MAILED: 11/17/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/674,638	FOXWELL, ROBERT D. 	
	Examiner	Art Unit	
	Lisa M. Saldano	3673	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-14 is/are allowed.
- 6) ☒ Claim(s) 15-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith (5,449,247) in view of Crifase et al (6,327,990) and Van Gijssel et al (6,290,426) and Young (3,146,599).

Smith discloses a boat mooring station that may also function as a watercraft ramp. The boat mooring station comprises roller arm assemblies 54, a cross arm 44 and U-bolts that attach a cross arm to an elongated frame member of the boat mooring station. Smith discloses a winch assembly 88 at a stop end of the mooring station. Smith discloses a keel roller 70 mounted away from the shore end of the mooring station. Smith discloses tiltable hull rollers 56 on an axle 54 (see column 3, lines 35-48). Smith teaches that the location of the roller arm assemblies may be slid to varying positions along the lengthwise frame member to adjust for various boat bottom configurations.

However, Smith fails to disclose that the watercraft ramp comprises a pair of elongated channel rails with a slot, lock recesses and length of at least about 5 feet. Smith also fails to

Art Unit: 3673

disclose cross brace beams adapted for removable fastening to the rails. Smith further fails to disclose a mounting bracket with downward stabilizer flange received in the slot of the channel rail. Smith also fails to disclose a two-part fastener having a transverse metal plate and locking protrusions.

Crifase et al disclose a boat landing apparatus that is capable of functioning as a watercraft ramp comprising at least a pair of roller frames or elongated channel rails 20 in a roller assembly 10 (see Fig.1). The roller frames form internal recesses defined by space of the interior of the frame. The walls of the roller frame form a longitudinal slot for access into the interior of the frame. Crifase et al also disclose hull support assemblies comprising at least one roller 18.

Van Gijssel et al disclose a threaded rod and strut connector and method that may be used generally in the construction industry (see Figs. 1-4). Van Gijssel et al disclose that the rod and strut connector enables the rod to be quickly and easily attached at any adjusted position along the strut or axially adjusted. Van Gijssel et al disclose a mounting bracket 10 and a fastener 16 for fixing the bracket to a channel rail 18. The fastener 16 is further used to fasten other items to the channel rail. Van Gijssel et al also disclose a locking part 12 that is movable through a slot formed at the top of the rail at any desired location along said rail slot. Van Gijssel et al also disclose a stabilizer part 62 to maintain alignment of the bracket in the wall. Van Gijssel et al disclose a transverse plate 30 with stop members 35,36 (see Fig.1). The plate is configured such that it abuts against the inside surface of the rail 18 when it is transversely oriented in the rail. Van Gijssel et al disclose a stabilizer part 62 that comprises a flange. Van Gijssel et al disclose

Art Unit: 3673

border flanges 24,25 and lip flanges 26,27 whereby the locking part 12 engages stop members or locking protrusion of the plate 30 (see Fig.3).

Young discloses a carton C comprising unassembled components of a boat ramp wherein the components are nested or cradled and packaged in a spatially efficient manner.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the watercraft ramp of Smith with its movable hull support assembly to comprise a pair of elongated channel rails with cross beams, as taught by Crifase et al, because Crifase et al's provision of two supporting rails instead of only one supporting rail provides a more stable base of support for the watercraft, as illustrated by Crifase et al.

Furthermore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the watercraft ramp of Smith with its movable hull support assembly to comprise a slidable connector, such as the movable connector taught by Van Gijssel, to provide slidably mounted rollers because the variable nature of the invention so modified allows the invention to accommodate boat or watercraft bottoms with varying bottom designs or configurations. Furthermore, Smith provides sufficient motivation to provide rails with slidably mounted hull supports. The combination of Smith and Van Gijssel et al merely provides a mechanically equivalent way of making the hull supports moveable along the axis of a supporting rail.

Moreover, it would have been obvious to one of ordinary skill in the art to provide packaging and efficient nesting of components for an unassembled invention of Smith, such as taught by Young for shipment of the unassembled watercraft supporting assembly because it would be a convenient and cost effective manner to ship the assembly.

Art Unit: 3673

In summary, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the discussed parts of Smith's, Crifase et al's, Van Gijssel's and Young's inventions, as claimed by the applicant because the applicant is merely claiming the capability of assembling each of the parts to produce a boat ramp assembly. It would have been obvious to an artisan of ordinary skill in the art to collect the aforementioned parts such as channel rails, slidable strut connectors, hull rollers, mounting brackets, fastener assemblies and cartons, given the teachings of Smith, Crifase et al, Van Gijssel and Young to assemble a watercraft ramp as claimed by the applicant of the present invention.

Allowable Subject Matter

3. Claims 1-14 would be allowed over the prior art of record.

Response to Arguments

4. Applicant's arguments as filed on 8/13/2004, with respect to claims 1-14 have been fully considered and are persuasive. The 35 U.S.C. 103(a) rejection of claims 1-14 has been withdrawn.
5. Applicant's arguments with respect to claims 15-18 have been considered but are moot in view of the new ground(s) of rejection.

Art Unit: 3673


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa M. Saldano whose telephone number is 703-605-1167. The examiner can normally be reached on Monday-Friday, 8:30am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather C. Shackelford can be reached on 703-308-2978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lms


HEATHER SHACKELFORD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600